

WATER RIGHTS COMMISSION—FEES

CHAPTER 596

H. B. No. 139

An Act relating to fees payable to and collected by the Texas Water Rights Commission; providing an exception for state agencies; amending Article 7532, Revised Civil Statutes of Texas, 1925, as amended; repealing Article 7534, Revised Civil Statutes of Texas, 1925, and all other laws to the extent of conflict; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. Article 7532, Revised Civil Statutes of Texas, 1925, as amended by Section 4, Chapter 136, General Laws, Acts of the 39th Legislature, Regular Session, 1925, is amended ⁶⁵ to read as follows:

"Article 7532. Fees.

Texas Water Rights Commission to Collect Fees

"Section 1. (a) The Texas Water Rights Commission shall charge and collect the fees provided in this section. The Commission shall make a record of fees provided when due, and shall render an account to the person charged with the fees. Each fee is a separate charge and is in addition to other fees unless provided otherwise.

"(b) The fees for filing all applications or petitions is \$25.00, plus the cost of required notice.

"(c) The fee for recording each instrument recorded in the office of the Commission is \$1.00 per page.

"(d) The fee for the use of water for irrigation is 50 cents per acre for each acre to be irrigated.

"(e) The fee for the use of water for a steam or gas power plant, or for cooling, condensing, or steam purposes is \$1.00 for each indicated horsepower.

"(f) The fee for impounding water, except under Section 5, Chapter 136, General Laws, Acts of the 39th Legislature, Regular Session, 1925, as amended (Article 7500a, Vernon's Texas Civil Statutes), or for the use of water for recreation or pleasure, is 50 cents per acre-foot of storage, based on the total holding capacity of the reservoir at normal operating level.

"(g) The fee for other uses of water not specifically named in this section is \$1.00 per acre-foot.

"(h) A fee charged under this section for one use of water under a permit from the Commission may not exceed \$5,000; and the fee for each additional use of water under a permit for which the maximum fee is paid may not exceed \$1,000.

"(i) The fees provided in Subsections (d) through (g) of this section are one-time fees, payable when the application for an appropriation is made.

Retention of Fees by Texas Water Rights Commission

"Section 2. The Texas Water Rights Commission shall hold all fees, other than filing fees, which are paid upon application until the Commission finally determines whether the application should be granted, and if not, the Commission shall return the fees to the applicant.

65. Vernon's Ann.Civ.St. art. 7532.

State Agency Exceptions

"Section 3. The Texas Water Development Board and the Texas Parks and Wildlife Commission are exempted from payment of any filing, recording or use fees required by this Article."

Sec. 2.⁶⁶ Article 7534, Revised Civil Statutes of Texas, 1925, is repealed.⁶⁷ All other laws or parts of laws inconsistent with the provisions of the article are repealed to the extent of conflict only.

Sec. 3. The fact that the fees that the Commission may collect have not been revised since 1925; the need for clarification of certain provisions of the present statute; the need for conforming this statute to the statute which provides for collection of certain fees by all agencies of the state; the importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and the Rule is hereby suspended; and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on April 12, 1967, by a non-record vote; passed by the Senate on May 17, 1967: Yeas 31, Nays 0.

Approved June 16, 1967.

Effective Aug. 28, 1967, 90 days after date of adjournment.

WATER RIGHTS COMMISSION—FEES**CHAPTER 597****H. B. No. 168**

An Act relating to the deposit of fees collected by the Texas Water Rights Commission with the State Treasurer in a Texas Water Rights Commission Fund; appropriating the deposits to the Commission for the biennium ending August 31, 1969; amending Article 7533, Revised Civil Statutes of Texas, 1925; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. Article 7533, Revised Civil Statutes of Texas, 1925, is amended ⁶⁸ to read as follows:

"Article 7533. Fees and Charges Deposited.

"Section 1. The fees and charges collected in accordance with the provisions of this chapter shall be immediately deposited in the State Treasury to the credit of the general revenue and full and detailed verified monthly and annual reports of all such receipts, as well as of the expenditures of the Commission, shall be filed with the Comptroller of Public Accounts.

"Section 2. The Texas Water Rights Commission shall transmit all collections of costs authorized by the Water Rights Adjudication Act (Senate Bill No. 92, Acts of the 60th Legislature, 1967), to the State Treasurer for deposit in a Water Rights Administration Fund, from which the Commission shall be entitled to and shall pay all expenses necessary to

66. Vernon's Ann.Civ.St. art. 7532 note.

67. Vernon's Ann.Civ.St. art. 7534, repealed.

68. Vernon's Ann.Civ.St. art. 7533.